

Permit No. Draft LA0124141

AI No. 158602

ATTACHMENT 4INTAKE STRUCTURELOCATION (RIVER MILE)W=West Bank E=East Bank

The DOW Company, Plaquemine	209.6 W
Honeywell Corporation, Geismar	187 E
Shell Chemical Company, Geismar	183 E
Peoples Water Service Company, Donaldsonville	175.5 W
Bayou LaFourche Fresh Water District, Donaldsonville	175.5 W
Ormet Corporation, Burnside	169.5 E
E.I. duPont deNemours & Company, Convent	169.2 E
Motiva Enterprises LLC, Convent	168.1 E
St. James Waterworks #1, Convent	154.1 E
St. James Waterworks #2, Vacherie	152.2 W
Town of Lutchter Waterworks, Lutchter	147.4 E
Town of Gramercy Waterworks, Gramercy	146.7 E
Kaiser Aluminum & Chemical Corporation, Gramercy	145.3 E
Marathon Petroleum Company, Garyville	140 E
St. John Waterworks #1, Lions Plant, Reserve	139.3 E
St. John Waterworks #2, Edgard Plant, Edgard	139.3 W
DuPont Dow Elastomers, LaPlace	136 E
St. Charles Waterworks #1, New Sarpy	125.1 E
St. Charles Waterworks #2, Luling	120.6 W
East Jefferson Waterworks, District 1, Metairie	105.4 E
New Orleans Dakin Waterworks, New Orleans	104.9 E
City of Westwego Waterworks, Westwego	101.5 W
West Jefferson Waterworks, District 2, Marrero	99.1 W
City of Gretna Waterworks, Gretna	96.7 W
New Orleans Algiers Waterworks #2, New Orleans	95.8 W
New Orleans Algiers Waterworks #1, New Orleans	95.7 W
Domino Sugar Corporation, Arabi	90.8 E
St. Bernard Waterworks, District 1, Chalmette	87.9 E
Dalcour Waterworks, Braithwaite	80.9 E
Belle Chasse Waterworks, Belle Chasse	75.8 W
Pointe-a-la-Hache Waterworks, Pointe-a-la-Hache	49.2 E
Port Sulphur Waterworks, Port Sulphur	49 W
Boothville-Venice Waterworks, Venice	18.6 W

STATEMENT OF BASIS (AI No. 158602)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0124141 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: Associated Terminals of St. Bernard, LLC
8000 St. Bernard Highway
Arabi, Louisiana 70032

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Michelle Bickham

DATE PREPARED: July 11, 2008

1. PERMIT STATUS**A. Reason For Permit Action:**

First time issuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. NPDES permit – NPDES permit effective date: N/A
NPDES permit expiration date: N/A
EPA has not retained enforcement authority.

C. LPDES permits – LPDES permit effective date: N/A
LPDES permit expiration date: N/A

D. Date Application Received: June 5, 2008

2. FACILITY INFORMATION**A. FACILITY TYPE/ACTIVITY - mobile midstream dry bulk transfer facility**

Associated Terminals of St. Bernard, LLC is an existing mobile midstream dry bulk transfer facility. The facility operates on the Mississippi River between River Miles 0 and 235. Dry bulk material is transferred from barge to ship and ship to barge via a clamshell bucket and a steel hook. The rigs are moored at the Chalmette Slip in Arabi. Stevedoring activities associated with these barges will result in the following types of discharges: maintenance ballast water/void tank water and equipment/deck washdown.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: I*
3. Wastewater Type: III
4. SIC code: 4491

* In Appendix A - Section IV (Relation of 1987 to 1977 Industries) of the Standard Industrial Classification Manual, the SIC code 4491 is equivalent to a previous SIC code of 4463. As per

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LAC33:IX.1319 Table I, SIC code 4463 is assigned Complexity Type II. The Complexity Type has been BPJ'd from II to I to match other similar facilities.

- C. LOCATION – This facility's land office is located at 8000 St. Bernard Highway, Arabi, St. Bernard Parish. The discharges from the barges will be made into the Mississippi River between River Miles 0 and 235 in Plaquemines, St. Bernard, Orleans, Jefferson, St. Charles, St. John the Baptist, St. James, Iberville, Ascension, East Baton Rouge, and West Baton Rouge parishes.

3. OUTFALL INFORMATION

Outfall *A

Discharge Type: maintenance ballast water/void tank water
Treatment: none
Location: at the point of discharge from the barge prior to combining with other waters
Flow: intermittent
Discharge Route: directly to the Mississippi River

Outfall *B

Discharge Type: equipment/ deck washdown water when transferring commodities other than coal or coke
Treatment: none
Location: at the point of discharge from the barge prior to combining with other waters
Flow: intermittent
Discharge Route: directly to the Mississippi River

Outfall *C

Discharge Type: equipment/ deck washdown water when transferring coal or coke
Treatment: none
Location: at the point of discharge from the barge prior to combining with other waters
Flow: intermittent
Discharge Route: directly to the Mississippi River

* The numbering convention for each barge is listed in Attachment 2 of the permit. For this permit, the different wastestreams are referred to as A, B, or C and the different barges will be designated as 01, 02, etc. (see Attachment 2).

NOTE: There is no discharge of sanitary wastewater as electric toilets are used.

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4. RECEIVING WATERS

STREAM – directly to the Mississippi River

BASIN AND SEGMENT - Mississippi River Basin, Segment 070301

DESIGNATED USES -

- a. primary contact recreation
- b. secondary contact recreation
- c. propagation of fish and wildlife
- d. drinking water supply

5. TMDL STATUS

The discharges from Associated Terminals of St. Bernard, LLC are directly to the Mississippi River, Subsegment 070301 of the Mississippi River Basin. Subsegment 070301 is not listed on LDEQ's Final 2006 303(d) List as impaired, and to date no TMDL's have been established. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by any future TMDLs.

6. PROPOSED EFFLUENT LIMITS

BASIS - See Rationale below.

7. COMPLIANCE HISTORY/COMMENTS

1. OEC –

There have been no inspections at the facility.

2. DMR Review/Excursions –

There have been no DMRs as the facility has never had a permit.

8. EXISTING EFFLUENT LIMITS

N/A

9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 070301 of the Mississippi River Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Pallid Sturgeon, which is listed as an endangered species. LDEQ has not submitted this draft permit to the FWS for review in accordance with a letter dated October 24, 2007 from Boggs (FWS) to Brown (LDEQ). As set forth in the Memorandum of Understanding between the LDEQ and the FWS, and based on information provided by the FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon the Pallid Sturgeon. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

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Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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Rationale for Associated Terminals of St. Bernard, LLC

1. **Outfall *A** – the intermittent discharge of maintenance ballast water/void tank water

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg: Daily Max (mg/l)	<u>Reference</u>
Flow (gpd)	Report: Report	(*1), (*2)
COD	---: 250	(*1)
Oil & Grease	---: 15	(*1)
pH	6.0 : 9.0	(*1), (*3)
standard units	(min): (max)	

Treatment: none

Monitoring Frequency: Once per discharge event (may be discharged without sampling provided there is no visible sheen; flow and the presence or absence of a sheen shall be recorded for all discharges) - based on BPJ per LDEQ's current practices for permitting ballast water discharges and existing permits for similar outfalls.

Testing for COD, Oil & Grease, and pH is only required if a visible oil sheen is present. If a visual inspection can be conducted, the compartment containing the ballast water must be inspected for a visible sheen prior to the discharge event. If a visible oil sheen is observed in the compartment containing the ballast water prior to the discharge event or if an oil sheen is observed during the discharge event, testing for COD, Oil & Grease, and pH is required.

Limits Justification: The effluent limitations are based on BPJ per LDEQ's current practices for permitting ballast water discharges, LAC 33:IX.2707.I.1.b, and LAC 33:IX.1113C.1 and existing permits for similar outfalls.

(*1) LDEQ's current practices for permitting ballast water discharges

(*2) LAC 33:IX.2707.I.1.b

(*3) LAC 33:IX.1113.C.1

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2. **Outfall *B** - the intermittent discharge of equipment/deck washdown when transferring commodities other than coal or coke

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg: Daily Max (mg/l)	<u>Reference</u>
	No Limits	BPJ; existing permits for similar outfalls

Treatment: none

Monitoring Frequency: None (BPJ; existing permits for similar outfalls)

Limits Justification: BPJ; language has been included in Part II which addresses pollution prevention practices for the washdown activity; this is consistent with existing permits for similar outfalls.

3. **Outfall *C** - the intermittent discharge of equipment/deck washdown when transferring coal or coke

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg: Daily Max (mg/l)	<u>Reference</u>
Flow (gpd)	Report: Report	(*1)
COD	250: 400	(*1)
TSS	Report: Report	(*1)
pH	6.0 : 9.0	(*1)
standard units	(min): (max)	

Treatment: none

Monitoring Frequency: once per discharge event for all parameters (BPJ; existing permits for similar outfalls)

Limits Justification: Limits are based on LDEQ Office practices for permitting coal and/or coke barge washwater.

(*1) LDEQ Office practices for permitting coal and/or coke barge washwater

* The numbering convention for each barge is listed in Attachment 2 of the permit. For this permit, the different wastestreams are referred to as A, B, or C and the different barges will be designated as 01, 02, etc. (see Attachment 2).

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NOTE

For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.

This facility is not subject to Effluent Limitations Guidelines for Transportation Equipment Cleaning, 40 CFR Part 442, because, in accordance with 40 CFR 442.1.a, "this part applies to discharges resulting from cleaning the interior of tanks used to transport chemical, petroleum or food grade cargos." This facility does not clean the interior of tanks. Only top deck washing of barges is performed.

Storm Water Pollution Prevention Plan (SWP3) Requirement

As per LAC33:IX.2341.B.14.k, stormwater discharges from facilities classified as SIC Codes 4491 are considered to be associated with industrial activities and accordingly require SWP3 requirements. However, an SWP3 is not included in the permit because the facility is a water related operation only. Barge BMPs are comparable to the SWP3 requirements; therefore, the barge BMPs will be applied instead.